

Instruction Sheet for Completing Agricultural Commodity Destruction Form

1. Authority:

FAC 5321-22: The director may enforce eradication action to prevent the spread of any pest not generally distributed within the state.

FAC 5401, 5404: Any premise, plant, or conveyance that is infected or infested with a pest is a public nuisance, and abatement measures can be implemented immediately.

FAC 5421: If the commissioner finds a premise, plant, conveyance, or other thing to be infected or infested with a pest, he may notify the owner in writing as such. He may then require the owner to destroy the pest within a time specified on the notice.

FAC 5762-63: Any premise, plant, or thing that is infested or infected or exposed to a pest for which an eradication area has been proclaimed is a public nuisance, and abatement through removal and destruction can be implemented.

FAC 6461.5: If any shipment of plants or other things enters this state, and is infested or infected, or there is reasonable cause to believe it may be infested or infected with a quarantine pest, the shipment shall be destroyed.

FAC 6521, 6523-24: If any shipment of nursery stock, or any host of any pest, enters a county from any other county within this state, and it is infested or infected, or there is reasonable cause to believe it may be infested or infected with a pest, then any part or all of the shipment that is infested or infected may be destroyed if there is no effective treatment.

2. Destruction: Voluntary, Mandatory or Uncertified

Voluntary Destruction: Establishment opts to destroy agricultural commodities in lieu of treating commodities when there is an approved treatment, or having commodities remain on hold.

Mandatory Destruction: Certain quarantines require destruction of agricultural commodities infested/infected with an actionable pest, or if there is reasonable cause to believe they might be infested/infected with an actionable pest; when there is no approved efficacious treatment and the infested/infected commodity poses too great a risk to ship out of state; commodities moved in violation of a state exterior or state interior quarantine.

Uncertified Shipment: Prohibited agricultural commodities from other states or countries; commodities from other states not meeting California state exterior quarantine requirements; commodities from within California not meeting state interior quarantine requirements.

3. Establishment Type

Grower: Community Garden, Grove, Orchard, Row Crop, Vineyard.

University: research plants or crops grown in greenhouses or in the field.

Seed Company: bagged or bulk seed lots.

Fruit Seller: Certified Farmers' Market, Mobile Vendor, Retail Market, Roadside Vendor, Swap Meet, Wholesale Produce Market.

Other: Any situation not fitting the above categories (ex. in ground tree at private residence, yard sale with backyard fruit, warehouse, box stores).

4. Establishment Information:

Fill out this section completely, and print clearly to make sure it is legible.

5. Reason for Destruction:

State Interior Quarantine: Include CCR number and corresponding pest (ex: CCR 3434 Light Brown Apple Moth; CCR 3435 Asian Citrus Psyllid).

State Exterior Quarantine: Include CCR number and corresponding pest (ex: CCR 3250 Citrus Pests; CCR 3280 Japanese Beetle).

Federal Foreign Quarantine: Include CFR and corresponding pest (ex. CFR 301.32 Fruit Flies)

Federal Domestic Quarantine: Include CFR number and corresponding pest (ex. CFR 301.52 Asian Longhorned Beetle)

Other: Explain reason for destruction if it does not apply to a specific quarantine (ex: unable to treat at site; uncertified plant material; no approved treatments).

6. Date Destroyed / Amount Destroyed:

Write in the actual destruction date(s) and check the appropriate box if it's the first visit or a subsequent visit.

Check the appropriate box for all agricultural commodities being destroyed, or if it is a partial destruction. Explain why it is a partial destruction. (ex: not all commodities were treated in the mandated timeframe, vehicle not large enough to transport all commodities at one time).

7. Description and number of items destroyed:

Initial Visit: Issue a Hold Notice. List agricultural commodities, as applicable, by size and type on the table. For a large inventory, continue on the back of the page.

Follow-Up Visit:

Partial Destruction: If a Hold Notice was previously issued; mark on the Hold Notice which agricultural commodities were destroyed. If no Hold Notice was issued; list commodities, as applicable, by size and type on the table. For a large inventory, continue on the back of the page.

Complete Destruction: If a Hold Notice was previously issued, state on the Hold Notice that all agricultural commodities were destroyed. If no Hold Notice was issued; list commodities, as applicable, by size and type on the table. For a large inventory, continue on the back of the page.

8. Destruction Monitored by Agricultural Official:

Dumpster: All phases of the destruction process must be monitored to ensure compliance. If disposed of in the establishment's dumpster, the agricultural commodities must first be rendered unmarketable, then double bagged before placing in the dumpster.

Landfill: If disposed of in a landfill, the agricultural commodities must be double bagged. Make appropriate arrangements to meet all approved disposal methods (ex: safeguarding while in transport, and deep burial with immediate coverage).

9. Person Contacted:

Fill out this section completely and print clearly to make sure it is legible.

10. Issuing Agricultural Official:

Fill out this section completely and print clearly to make sure it is legible.

Agricultural Commodities Destruction Form

(Numbers in red correspond to Agricultural Commodity Destruction Form Instruction Sheet)

¹Authority: California Food and Agricultural Code Sections:
5321-22, 5401, 5404, 5421, 5762-63, 6461.5, 6521, 6523-24

² ☐ Voluntary ☐ Mandatory ☐ Uncertified Shipment

³ Establishment Type: ☐ Grower ☐ University ☐ Seed Company ☐ Fruit Seller ☐ Other _____

⁴ Establishment Name: _____ Owner Name: _____

Address: _____ City: _____ Zip: _____

County: _____ Phone: _____ Email: _____

⁵ Reason for Destruction: State Interior or State Exterior Quarantine: _____

Federal Foreign or Federal Domestic Quarantine: _____

Other: _____

⁶ Date Destroyed / Amount Destroyed:

Date: _____ ☐ Initial Visit ☐ Follow-Up Visit / ☐ All Commodities Destroyed ☐ Partial Destruction

Partial Destruction Explanation: _____

⁷ Description and Number of Items Destroyed (See Below or Attachment):

☐ Refer to Hold Notice (Attached)

⁸ Destruction Monitored by Agricultural Officer:

☐ Rendered Unmarketable, double bagged and placed in establishment dumpster

☐ Double bagged and taken to landfill following project approved safeguarding methods

⁹ Person Contacted		¹⁰ Issuing Agricultural Official	
Name (print):		Name (print):	
Signature:		Signature:	
Title:		Title:	
Date:		Agency:	
		Phone:	
		Date:	